

REQUEST FOR COURT ACTION/DIRECTION

TO: Honorable Gerard E. Lynch
U.S. District Judge

FROM: Diane M. Plummer
U.S. Probation Officer

RE: Tony Duh & Linda Duh
Docket No. S3 07 Cr 511(GEL)

DATE: January 17, 2008

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>1/23/08</u>

OFFENSE: Money Laundering Conspiracy, 18 U.S.C. 1956(h)

SENTENCE DATE: February 15, 2008

AUSA: Glen McGorty

REQUEST FOR: COURT DIRECTION

Pursuant to a plea of guilty, by the above-mentioned defendants, on December 6, 2007, our office was instructed to prepare expedited presentence reports. As such, this officer was assigned to conduct the presentence investigations.

After several attempts to contact defense counsel, the presentence interviews were scheduled for January 17, 2008 and January 18, 2008, for Linda Duh and Tony Duh, respectively. On the eve of January 16, 2008, Linda Duh's defense attorney, Michael Musa-Obregon, contacted our office and stated that he had to cancel our scheduled appointment due to a scheduling conflict. On January 17, 2008, Tony Duh's defense attorney, Telesforo Del Valle, Jr, left a message for this officer. Mr. Del Valle stated that he will be starting a trial shortly and has to cancel our scheduled appointment.

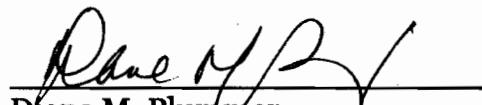
As both defense attorneys have been unable to produce their clients, we do not believe that these cases are appropriate for expedited sentencing. The presentence reports are scheduled to be disclosed to all parties on February 1, 2008. As Mr. and Mrs. Duh have not been interviewed, we do not believe we will be able to meet the required date of disclosure. We are therefore seeking direction from the Court, concerning the presentence investigation.

RE: Tony Duh & Linda Duh
Docket No. S3 07 Cr 511(GEL)

page 2.

If we are directed not to proceed, by copy of this memorandum we request that the Government provide us 90 days notification of the actual sentence date by contacting Case Administrator Eve Santiago at 212-805-5147, so that the presentence investigation can be assigned, completed and disclosed to counsels in accordance with Rule 32.

Respectfully submitted,
Chris J. Stanton
Chief U.S. Probation Officer


Diane M. Plummer
U.S. Probation Officer
390-4045

Approved By: 
Bernadine Fields
Supervising U.S. Probation Officer

cc.

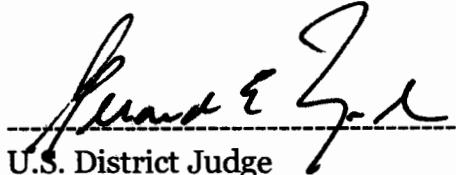
Glen McGorty, AUSA
Michael Musa-Obregon, Esq
Telesforo Del Valle, Jr, Esq

Would Your Honor please indicate the course of action to be taken.

Proceed with Presentence Investigation

Do Not Proceed with Presentence Investigation _____

New Date of Sentence Mar. 14, 2008 Time & Room 2:00 p.m. Room 63


U.S. District Judge

1/22/08
Date